

1 STEPHEN P. BERZON (SBN 46540)  
 2 EILEEN B. GOLDSMITH (SBN 218029)  
 3 PEDER J. V. THOREEN (SBN 217081)  
 4 MEREDITH A. JOHNSON (SBN 291018)  
 5 Altshuler Berzon LLP  
 6 177 Post Street, Suite 300  
 7 San Francisco, California 94108  
 Telephone: (415) 421-7151  
 Facsimile: (415) 362-8064  
 E-mail: sberzon@altber.com  
 egoldsmith@altber.com  
 pthoreen@altber.com  
 mjohnson@altber.com

8 ROBERT J. BEZEMEK (SBN 058740)  
 9 DAVID CONWAY (SBN 253903)  
 10 Law Offices of Robert J. Bezemek  
 11 A Professional Corporation  
 12 The Latham Square Building  
 13 1611 Telegraph Avenue, Suite 936  
 Oakland, California 94612  
 Telephone: (510) 763-5690  
 Facsimile: (510) 763-4255  
 E-mail: rjbezemek@bezemeklaw.com  
 dconway@bezemeklaw.com

14 Attorneys for Plaintiffs

15 IN THE UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

18 AFT LOCAL 2121, *et al.*,  
 19 Plaintiffs,  
 20 vs.  
 21 ACCREDITING COMMISSION FOR  
 22 COMMUNITY AND JUNIOR COLLEGES,  
 23 *et al.*,  
 24 Defendants.

CASE NO. 3:16-cv-03411-HSG  
**STIPULATION AND ORDER REGARDING  
 BRIEFING SCHEDULE**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STIPULATION REGARDING BRIEFING SCHEDULE**

WHEREAS Plaintiffs filed their First Amended Complaint in San Francisco Superior Court on May 26, 2016, and Defendant Accrediting Commission for Community and Junior Colleges removed the action to this Court on June 17, 2016;

WHEREAS Altshuler Berzon LLP was first brought into this case as co-counsel for Plaintiffs on June 22, 2016, and its attorneys are in the process of becoming familiar with the case;

WHEREAS this action was originally assigned in this Court to Magistrate Judge Spero;

WHEREAS Defendant filed a Motion to Dismiss in this action on June 24, 2016 and originally noticed the motion for hearing before Magistrate Judge Spero on July 29, 2016;

WHEREAS pursuant to the Local Rules, Plaintiffs' opposition to the Motion to Dismiss would be due on July 8, 2016;

WHEREAS Plaintiffs declined to consent to the Magistrate Judge, and the case has since been reassigned to this Court, requiring the Motion to Dismiss to be re-noticed for a new hearing date;

WHEREAS the parties have met and conferred regarding the reassignment of this case, the briefing schedule on the Motion to Dismiss, and Plaintiffs' intention to seek leave to file a Second Amended Complaint;

**THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:**

1. Plaintiffs' Opposition to the Motion to Dismiss shall be due on July 21, 2016.
2. Defendant's Reply shall be due on July 28, 2016.
3. Subject to Court approval, the hearing on Defendant's Motion to Dismiss shall be held on August 4, 2016 at 2:00 p.m., or as soon thereafter as is available on the Court's calendar.
4. Plaintiffs shall provide the proposed Second Amended Complaint to Defendants no later than July 21, 2016, in order to determine whether the parties can stipulate to the filing of the Second Amended Complaint. If the parties stipulate to the filing of the Second Amended Complaint, and plaintiff thereafter files the Second Amended Complaint pursuant to the stipulation, Defendant with promptly thereafter withdraw its Motion to Dismiss without prejudice to re-filing

1 any motion to dismiss the Second Amended Complaint, in order to avoid duplication of effort by  
2 the parties and the Court.

3 Dated: June 30, 2016

STEPHEN P. BERZON  
EILEEN B. GOLDSMITH  
PEDER J. V. THOREEN  
MEREDITH A. JOHNSON  
Altshuler Berzon LLP

6 ROBERT J. BEZEMEK  
7 DAVID CONWAY  
Law Offices of Robert J. Bezemek

9 By: s/ Eileen B. Goldsmith  
10 Eileen B. Goldsmith

11 *Attorneys for Plaintiffs*

12 Dated: June 30, 2016

KENNETH E. KELLER  
THOMAS H. SLOAN, JR.  
JENNIFER R. McGLONE  
ETHAN I. JACOBS  
Keller, Sloan, Roman & Holland LLP

15 LAURENCE W. KESSENICK  
16 SCOTT C. KESSENICK  
Kessenick, Gamma & Free LLP

17 By: s/ Thomas H. Sloan, Jr.  
18 Thomas H. Sloan, Jr.

20 **ORDER**

21 Pursuant to Stipulation, IT IS SO ORDERED. The hearing on Defendant's Motion to  
22 Dismiss is set for August 4, 2016 at 2:00 p.m.

23 Dated: July 1, 2016

24   
United States District Judge